

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GREENFIELD FRESH, INC.,

Plaintiff,

v.

BERTI-PRODUCE-OAKLAND, INC., et
al.,

Defendants.


Case No. 14-cv-1096-JSC

**ORDER RE: SEVERANCE OF
PLAINTIFF'S CLAIMS AGAINST
BERTI-PRODUCE, INC. AND
CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

Plaintiff Greenfield Fresh, Inc. and Defendants Mah and Chow have reached a full settlement of their claims. (Dkt. No. 32.) All of these parties have also consented to the jurisdiction of a magistrate judge. (Dkt. Nos. 10, 11, 35.) Although purportedly served with summons and the complaint, Defendant Berti-Produce, Inc. has not appeared in the action. Thus, Berti-Produce, Inc. has not consented to the jurisdiction of a magistrate judge. Accordingly, to provide the Court with jurisdiction to sign the stipulation of dismissal between Plaintiff and Defendants Mah and Chow, the Court ordered all appearing parties to advise the Court by Tuesday, September 23, 2014 whether they agreed to the severance into a separate action of Defendant Berti-Produce, Inc. (Dkt. No. 33.) As no party objected to the severance, Plaintiff's claims against Berti-Produce, Inc. are severed from Plaintiff's claims against Mah and Chow. The Court will forthwith sign the stipulation of dismissal of the claims against Defendants Mah and Chow.

The Case Management Conference scheduled for September 25, 2014 is continued to November 20, 2014 at 1:30 p.m. to give Plaintiff the opportunity to move for entry of default judgment of Berti-Produce.

IT IS SO ORDERED



JACQUELINE SCOTT CORLEY
United States Magistrate Judge

United States District Court
Northern District of California

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